28 December 1971

MEMORANDUM FOR: Office of Legislative Counsel

STATINTL☐

ATTENTION:

SUBJECT: Fair Labor Standards Amendments of 1971

1. We are returning H.R. 7130 and the accompanying Report which amends the Fair Labor Standards Act to cover employees of the Federal Government. The basic Act not only sets minimum wages but also directs overtime pay at time and a half for all hours in excess of 40 per week.

2. The Report concedes that the minimum wage aspects would not affect employees of the U.S. Government. However, the overtime provisions are at variance with the overtime provisions of Title 5. Hence, if this bill were to become law, we would be confronted with an overtime system administered by the Wage and Hour Administrator and at the same time there is an overtime system for Government employees with regulations thereunder prescribed by the Civil Service Commission. There is no discussion of this issue at all in the Report and I doubt that the Committee was aware of the problem. If the Agency were required to follow the overtime provisions in the proposed bill, it would have significant and adverse affects on our existing overtime and premium pay concepts.

3. As I suggested earlier, it seems to me it might be wise to check the proposed bill with the two Post Office and Civil Service Committees. It would seem very doubtful that they would wish to see existing Title 5 provisions for Federal employees abandoned. If there is anything further we can do, let us know.

STATINTL

Atts. - 2

JOHN S. WARNER
Deputy General Counsel

cc: D/Personnel
    D/Finance

STATINTL

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SEC 71-2121

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OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	DATE	INITIALS
1	Office of Legislative Counsel		
2	☐ 7D43 Hqs		
3			
4			
5			
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ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	

Remarks:

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.	DATE
OGC/Warner 7D01 ☐	12/28/71

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